

Atty Docket: 2543-28-  
U.S. Serial No.: 09/098,758

PATENT

# 26

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:  
Tod C. Duvall, et al.

Group Art Unit: 1713

Serial No.: 09/098,758  
Confirmation No.: 4469

Examiner: Peter D. Mulcahy

Filed: June 17, 1998

For: **SYNERGISTIC BLEND OF A METAL-  
BASED STABILIZER OR LEWIS ACID  
AND A FREE MERCAPTAN FOR  
ENHANCED PVC STABILIZATION** X

**FAX RECEIVED**

Mail Stop **PETITIONS**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

OCT 14 2005

**OFFICE OF PETITIONS**

**COVER LETTER**

**Re-Submission of  
PETITION UNDER 37 C.F.R. § 1.181  
TO WITHDRAW ABANDONMENT**

Sir:

As evidenced by the attached Auto-Reply Facsimile Transmission dated March 25, 2004, the attached Petition Under 37 C.F.R. § 1.181 was previously filed in, and received by, the U.S. Patent and Trademark Office via facsimile to (703) 872-9306.

Having received no further communications from the U.S. Patent and Trademark Office concerning the above-identified patent application or the enclosed Petition, the undersigned attorney telephoned the Petitions Department and spoke with a representative who confirmed that there is no other record of receipt of the attached Petition at the U.S. Patent and Trademark Office.

Thus, the attached Petition is hereby being re-submitted via First Class US Mail for entry and consideration in connection with the above-identified patent application.

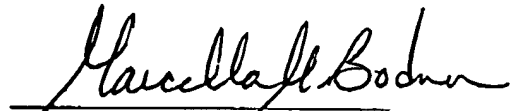
No fees are believed to be due in connection with the re-submission of the enclosed Petition. However, if any such fees, including petition and extension fees, are due, the Commissioner is hereby authorized to charge such fees, and to credit any overpayments, to **Deposit Account No. 18-1850**.

It is respectfully noted that the enclosed Petition is being re-submitted immediately after the undersigned attorney suspected and confirmed that the Petition had not been transferred to the Petitions Department of the U.S. Patent and Trademark Office, notwithstanding its apparent receipt on March 25, 2004.

Please forward any correspondence concerning this Petition or the present patent application to the undersigned attorney at the address provided below.

I, Marcella Bodner, the undersigned attorney for Applicants, hereby certify that the foregoing statements are based upon my own personal knowledge and are true to the best of my knowledge.

Respectfully submitted,



Marcella M. Bodner  
Attorney for Applicants  
Registration No. 46,561  
(215) 592-3025

Date: **September 17, 2004**  
**ROHM AND HAAS COMPANY**  
100 Independence Mall West  
Philadelphia, PA 19106-2399

## Auto-Reply Facsimile Transmission

FAX RECEIVED

OCT 14 2005

OFFICE OF PETITIONS



TO:

Fax Sender at 215 592 2682

Fax Information

Date Received:

Total Pages:

3/25/2004 4:43:45 PM [Eastern Standard Time]

32 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page

=====>

FROM ROHM & HAAS PATENT DEPT. PHILA. PA USA (THU)03.25.04 17:07/STL 17:06/NO.0560147823 3 1

Docket No.: 2543-88-83

PATENT

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ted C. Duval, et al.

Group Art Unit: 1713

Serial No.: 09/098,758

Confirmation No.: 4469

Examiner: Peter D. Mulcahy

Filed: June 17, 1998

For: SYNERGISTIC BLEND OF A METAL-BASED STABILIZER OR LEWIS ACID AND A FREE MERCAPTAN FOR ENHANCED PVC STABILIZATION X


Mail Stop PETITIONS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.18

I hereby certify that the papers listed hereinbelow (comprising a total of 32 pages) are being facsimile transmitted to the United States Patent and Trademark Office, at facsimile number (703) 878-9306, on March 25, 2004.

- Petition Under 37 C.F.R. 1.181 (with Exhibits A-F)
- Copies of: Revocation Of Power Of Attorney, Statement Under 37 CFR 3.73(b), and a Power Of Attorney And Correspondence Address Indication Form
- Copy of previously filed Status Inquiry and Date-Stamped Postcard Receipt
- Terminal Disclaimer to Accompany Petition
  - Fee Transmittal (in duplicate)
- Certificate of Facsimile Transmission

Date: March 25, 2004

  
Marcella M. Bodner  
Attorney for Applicant(s)  
Registration No. 48, 661

*Proof of submission  
and receipt of  
petition in  
March 2004*

**Docket No.: 2543-28-93**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Tod C. Duvall, et al.

Group Art Unit: 1713

Serial No.: 09/098,758

Examiner: Peter D. Mulcahy

Confirmation No.: 4469

Filed: June 17, 1998

For: **SYNERGISTIC BLEND OF A METAL-  
BASED STABILIZER OR LEWIS ACID  
AND A FREE MERCAPTAN FOR  
ENHANCED PVC STABILIZATION** X

**FAX RECEIVED**

OCT 14 2005

**OFFICE OF PETITIONS**

Mail Stop **PETITIONS**

Commissioner for Patents

P.O. Box 1450


Alexandria, VA 22313-1450

**CERTIFICATE OF FACSIMILE TRANSMISSION**  
**UNDER 37 C.F.R. § 1.8**

I hereby certify that the papers listed hereinbelow (comprising a total of 32 pages) are being facsimile transmitted to the United States Patent and Trademark Office, at facsimile number (703) 872-9306, on **March 25, 2004**.

- Petition Under 37 C.F.R. 1.181 (with Exhibits A-F)
- Copies of: Revocation Of Power Of Attorney, Statement Under 37 CFR 3.73(b), and a Power Of Attorney And Correspondence Address Indication Form
  - Copy of previously filed Status Inquiry and Date-Stamped Postcard Receipt
- Terminal Disclaimer to Accompany Petition
  - Fee Transmittal (in duplicate)
- Certificate of Facsimile Transmission

Date: **March 25, 2004**

  
Marcella M. Bodner  
Attorney for Applicant(s)  
Registration No. 46, 561

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:  
 Tod C. Duvall, et al.

Group Art Unit: 1713

Serial No.: 09/098,758  
 Confirmation No.: 4469

Examiner: Peter D. Mulcahy

Filed: June 17, 1998

For: **SYNERGISTIC BLEND OF A METAL-  
 BASED STABILIZER OR LEWIS ACID  
 AND A FREE MERCAPTAN FOR  
 ENHANCED PVC STABILIZATION** X

**FAX RECEIVED**

OCT 14 2005

**OFFICE OF PETITIONS**

Mail Stop **PETITIONS**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. § 1.181  
 TO WITHDRAW ABANDONMENT**

Sir:

This Petition Under 37 C.F.R. § 1.181 is being submitted, pursuant also to MPEP § 711.03(c)II, in connection with the above-identified provisional patent application which, unbeknownst to the Applicants or the assignee/owner (i.e., Morton International, Inc., a wholly owned subsidiary of Rohm and Haas Company), became abandoned for failure to prosecute.

As will be explained in detail hereinafter, Applicants' failure to prosecute was entirely unintentional and occurred because Applicants and ROH never received a non-final Office Action mailed March 29, 2002, or the Notice of Abandonment subsequently issued November 18, 2002, and, therefore, there was no notice or opportunity to respond to the Office Action, or the Notice of Abandonment. Upon investigation, it was determined and confirmed that both the non-final Office Action and the Notice of Abandonment were mailed by the United States Patent and Trademark Office (USPTO)

to a law firm in Washington, D.C. (Venable, Baetjer, Howard and Civiletti, LLP), which is unrelated to, and has not been retained by, Rohm and Haas Company in connection with this patent application, or any other matter.

For the reasons which follow, it is respectfully requested that the Notice of Abandonment for the present patent application be withdrawn and the present application reinstated to active status. Re-issue of the non-final Office Action originally mailed March 29, 2002 for the present application is also requested, as well as re-setting of the due date for response thereto. Lastly, please change the Correspondence Address for the present patent application to:

**MORTON INTERNATIONAL, INC.  
100 Independence Mall West  
Philadelphia, PA 19106-2399**

**Ownership of the Present Application**

As mentioned hereinabove, the owner/assignee of the present patent application is Morton International, Inc., a wholly-owned subsidiary of Rohm and Haas Company, collectively referred to hereinafter as "ROH" and both of which have a mailing address of 100 Independence Mall West, Philadelphia, PA 19106-2399. The necessary papers to evidence the aforesaid ownership of the present application (i.e., executed Revocation Of Power Of Attorney Or Authorization Of Agent, an executed Statement Under 37 CFR 3.73(b), and an executed Power Of Attorney) have been previously completed, executed and filed with the USPTO. There is, however, no indication that these papers have been received and duly entered by the USPTO. Thus, copies of the aforesaid papers, evidencing ROH's ownership of the present application and appointing all practitioners under Customer No. 21898 to prosecute the present application, are attached hereto to enable the undersigned attorney to act on behalf of Applicants and ROH in connection with the above-identified patent application, including submission of this Petition.

**Early Application Prosecution History**

In response to an Advisory Action mailed February 1, 2002 in connection with the present patent application, Applicants and their attorneys filed a Continued Prosecution Application (CPA) on February 5, 2002 (copies of said CPA papers are attached hereto as Exhibit A). An official Filing Receipt was mailed February 25, 2002 to "MORTON INTERNATIONAL, INC., 100 Independence Mall West, Philadelphia, PA 19106-2399" and was received by ROH and Applicant's attorneys on March 4, 2002 (a copy of said Filing Receipt is attached hereto as Exhibit B). The aforesaid Filing Receipt was the last piece of correspondence received from the USPTO in connection with the present application.

**Investigation to Determine Status of Present Application**

The undersigned attorney joined ROH in December 2002 and became responsible for prosecution of various pending patent applications, including the present application. Upon realizing that an unusual amount of time had passed since receiving any correspondence from the USPTO concerning the present application, the undersigned attorney telephoned the USPTO and was informed by a USPTO representative that the application had been abandoned for failure to respond to an Office Action. Thereafter, upon the recommendation of the aforesaid USPTO representative and since there was no evidence that any such Office Action had been received by ROH, the undersigned attorney filed a Status Inquiry for the present application seeking official, written information and/or explanation of the status of this application so that an appropriate petition for revival could be prepared based upon known facts. Unfortunately, the USPTO never responded in any way to the Status Inquiry. A copy of the aforesaid Status Inquiry, mailed September 9, 2003, is attached hereto, without its exhibits and attachments, but with a copy of the return postcard receipt, date-stamped September 11, 2003, evidencing the USPTO's receipt of the Status Inquiry.

After it became clear that the Status Inquiry was an ineffective means of further investigating the status of the present application, the undersigned attorney retained the law firm of Morgan Finnegan, located in Washington, D.C., to obtain a copy of the

USPTO's file for the present application. After significant difficulty, an agent of Morgan Finnegan was able to obtain a copy of the USPTO's file for the present application and forwarded it to the undersigned attorney.

Based upon the copy of the USPTO's file for the present application received by the undersigned attorney from Morgan Finnegan, the USPTO's file included copies of the following four most recently dated papers:

1. Corrected Filing Receipt (mailed February 25, 2002), addressed to Morton International, Inc., 100 Independence Mall West, Philadelphia, PA 19106-2399. (Attached hereto as Exhibit B)
2. A Non-final Office Action (mailed March 29, 2002), addressed to Venable, Baetjer, Howard and Civiletti, LLP, P.O. Box 34385, Washington, D.C. 20043-9998. (Attached hereto as Exhibit C)
3. Notice of Abandonment (mailed November 18, 2002), addressed to Venable, Baetjer, Howard and Civiletti, LLP, P.O. Box 34385, Washington, D.C. 20043-9998. (Attached hereto as Exhibit D)
4. A Request for Access to An Abandoned Application Under 37 CFR 1.14 (stamped "Received February 6, 2004"), which ultimately enabled Morgan Finnegan to obtain a copy of the USPTO's file for this application. (Attached hereto as Exhibit E)

There is no indication, memoranda, papers or other evidence, in either the USPTO's file or ROH's file for this application, that ROH requested a change of correspondence address for this application or authorized the aforesaid law firm to do so. It remains unclear why the USPTO mailed the last Office Action and Notice of Abandonment to the law firm of Venable, Baetjer, Howard and Civiletti, LLP. It is respectfully submitted that an error on the part of the USPTO occurred after the mailing of the Corrected Filing Receipt, which resulted in the correspondence address for the present application being changed to the law firm of Venable, Baetjer, Howard and Civiletti, LLP, unbeknownst to Applicants, ROH or their attorneys.



Statements Required Under 37 C.F.R. § 1.181

The undersigned attorney hereby states that, based upon her search of ROH's file jacket and docket records for the present application, neither the non-final Office Action mailed March 29, 2004, nor the Notice of Abandonment mailed November 18, 2002 were ever received by Applicants, ROH or the undersigned attorney. A copy of the aforesaid ROH docket record, where the aforesaid nonreceived Office Action and Notice of Abandonment would have been entered had they been received and docketed, is attached hereto as Exhibit F. It is noted that ROH's docket record shows no entries for any communications received from the USPTO after February 2002.

As required, since this application is a utility application filed on or after June 8, 1995, a Terminal Disclaimer is also submitted herewith which dedicates to the public a terminal part of any patent granted on the present application that would extend beyond the date 20 years from the filing date of the application, or the earliest application to which the present application specifically refers under 35 U.S.C. 120, 121, or 365(c). The attached terminal disclaimer also applies to any patent granted on any application that claims the benefit of the filing date of the application under 35 U.S.C. 120, 121, or 365(c).

Conclusion / Requests

Based upon the foregoing circumstances and explanation, and pursuant to 37 C.F.R. § 1.181 and MPEP § 711.03(c)II, the undersigned attorney hereby requests, on behalf of Applicants and ROH, that the USPTO take the following actions:

1. Withdraw the abandonment of the present patent application.
2. Change the Correspondence Address for the present patent application back to:

**MORTON INTERNATIONAL, INC.  
100 Independence Mall West  
Philadelphia, PA 19106-2399**

3. Reissue the non-final Office Action (originally mailed March 29, 2002) and re-set the due date for response thereto.

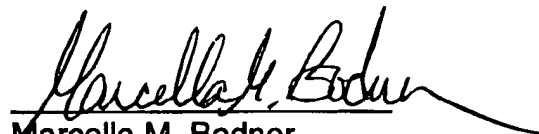
A petition fee of \$130 and a terminal disclaimer fee of \$110 are believed to be due in connection with the filing of this Petition Under 37 C.F.R. § 1.181 and the accompanying terminal disclaimer. A completed Fee Transmittal form accompanies this Petition and authorizes the Commissioner to charge these fees, totaling \$240, to **Deposit Account No. 18-1850**. No additional fees are believed to be due in connection with the filing of this Petition. However, if any such fees, including petition and extension fees, are due, the Commissioner is hereby authorized to also charge such additional fees, and to credit any overpayments, to **Deposit Account No. 18-1850**.

Lastly, it is respectfully submitted that the abandonment of the present application and the necessity of filing this Petition resulted from an error on the part of the USPTO. Accordingly, in the event that this Petition is granted, Applicants, ROH, and their attorney hereby respectfully request that the aforesaid \$130 petition fee be refunded and credited to **Deposit Account No. 18-1850**.

Please forward any correspondence concerning this Petition or the present patent application to the undersigned attorney at the address provided below.

I, Marcella Bodner, the undersigned attorney for Applicants, hereby certify that the foregoing statements are based upon my own personal knowledge and are true to the best of my knowledge.

Respectfully submitted,



Marcella M. Bodner  
Attorney for Applicants  
Registration No. 46,561  
(215) 592-3025

Date: March 25, 2004  
ROHM AND HAAS COMPANY  
100 Independence Mall West  
Philadelphia, PA 19106-2399

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REVOCATION OF POWER OF  
ATTORNEY and APPOINTMENT OF  
NEW POWER OF ATTORNEY**

Application Number	09/098,758
Filing Date	June 17, 1998
First Named Inventor	Tod C. Duvall, et al
Art Unit	1713
Examiner Name	P. Mulcahy
Attorney Docket Number	2543-28-93

I hereby revoke all previous powers of attorney given in the above-identified application:

☒ A Power of Attorney is submitted herewith.**FAX RECEIVED**

OR

☐ I hereby appoint the practitioners at Customer Number:

OCT 14 2005

**OFFICE OF PETITIONS**☐ Please change the correspondence address for the above-identified application to:☐ The address associated with  
Customer Number:

OR

☐ Firm or  
Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

Name JAMES G. VOUGAS

Signature 

Date 9/08/03

Telephone (215) 592-2564

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Tod C. Duvall, et al.

Application No./Patent No.: 09/098,758 Filed/Issue Date: June 17, 1998

Entitled: SYNERGISTIC BLEND OF A METAL-BASED STABILIZER OR LEWIS ACID AND A FREE

MORTON INTERNATIONAL, INC., a CORPORATION MERCAPTAN FOR ENHANCED PVC STABILIZATION  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 9258, Frame 0590, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.  
(NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

September 8, 2003

(215) 592-2564

Telephone number

JAMES G. VOURES

Typed or printed name

Signature

Assistant Secretary

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# **POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM**

Application Number	09/098,758
Filing Date	June 17, 1998
First Named Inventor	Tod C. Duvall, et al.
Title	Synergistic Blend of ....
Art Unit	1713
Examiner Name	P. Mulcahy
Attorney Docket Number	2543-28-93

I hereby appoint:

☒ Practitioners at Customer Number:

21898

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

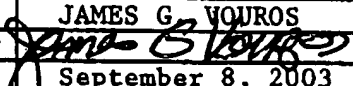
<input type="checkbox"/> Firm or Individual Name				
Address				
Address				
City		State		Zip
Country				
Telephone		Fax		

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

## SIGNATURE of Applicant or Assignee of Record

Name	JAMES G. VOUIROS		
Signature			
Date	September 8, 2003	Telephone	(215) 592-2564

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FAX RECEIVED

OCT 14 2005

OFFICE OF PETITIONS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Tod C. Duvall

Group No. : 1713

Application No.: 09/098,758

Examiner : P. D. Mulcahy

Confirmation No.: 4469

Filed: June 17, 1998

For: SYNERGISTIC BLEND OF A METAL-  
BASED STABILIZER OR LEWIS ACID  
AND A FREE MERCAPTAN FOR  
ENHANCED PVC STABILIZATION X

FAX RECEIVED

OCT 14 2005

## MAIL STOP NON-FEE AMENDMENTS

OFFICE OF PETITIONS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

STATUS INQUIRY

Sir:

In response to an Advisory Action mailed February 1, 2002 for the above-identified patent application, Applicant and his attorneys filed a Continued Prosecution Application (CPA) on February 5, 2002 (copies of said CPA papers are attached hereto as Exhibit A). An official Filing Receipt was mailed February 25, 2002 to the assignee, MORTON INTERNATIONAL, INC., 100 Independence Mall West, Philadelphia, PA 19106-2399 and was received by the assignee and Applicant's attorneys on March 4, 2002 (a copy of said Filing Receipt is attached hereto as Exhibit B).

It is noted that MORTON INTERNATIONAL, INC. is a wholly-owned subsidiary of ROHM AND HAAS COMPANY, also having a mailing address of 100 Independence Mall West, Philadelphia, PA 19106-2399. Accordingly, the necessary papers (i.e., executed Revocation Of Power Of Attorney Or Authorization Of Agent, an executed Statement Under 37 CFR 3.73(b), and an executed Power Of Attorney) are attached hereto to enable the undersigned attorney to act on behalf of Applicant in connection with the above-identified patent application.

Since receipt of the aforesaid Filing Receipt in March 2002, no communications concerning the status or examination of the above-identified patent application have been received by Applicant, his attorney, or the assignee, MORTON INTERNATIONAL, INC, from the United States Patent and Trademark Office.

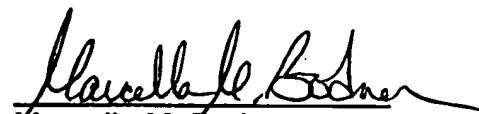
In the foregoing circumstances, the undersigned attorney **hereby requests** that the Commissioner for Patents investigate and notify her, Applicant and the assignee of the current status of the above-identified patent application. Please address any such notification and all future correspondence relating to this application to:

MORTON INTERNATIONAL, INC.  
100 Independence Mall West  
Philadelphia, PA 19106-2399

No fees are believed to be due in connection with the filing of this Status Request. If, however, any such fees are due, including extension and petition fees, the Commissioner is hereby authorized to charge them to **Deposit Account No. 18-1850**.

**Lastly, please associate this application with Customer No. 21898.**

Respectfully submitted,



Marcella M. Bodner  
Attorney for Applicants  
Registration No. 46,561  
Telephone: (215) 592-3025

Date: **September 8, 2002**  
MORTON INTERNATIONAL, INC.  
(a wholly-owned subsidiary of  
ROHM AND HAAS COMPANY)  
100 Independence Mall West  
Philadelphia, PA 19106-2399

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Docket Number: 2543-28-93

MMB/yv

In re application of:

Tod C. Duvall

**FAX RECEIVED**

OCT 14 2005

Serial No: 09/098,758

:

Group Art Unit: 1713

**OFFICE OF PETITIONS**

Confirmation No.: 4469

:

Filed: 6/17/1998

:

Examiner: P.D. Mulcahy

For: **SYNERGISTIC BLEND OF A METAL-BASED STABILIZER OR LEWIS ACID  
AND A FREE MERCAPTAN FOR ENHANCED PVC STABILIZATION**

**MAIL STOP: NON-FEE AMENDMENTS**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING**

Sir:

I hereby certify that the following correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on the date indicated next to my signature below:

**Revocation of Power of Attorney and Appointment of New Power of Attorney**

**Statement Under 37 CFR 3.73(b)**

**Power of Attorney and Correspondence Address Indication Form**

**Status Inquiry**

**Exhibit "A" and Exhibit "B"**

**Return Receipt Postcard**

9/09/2003  
Date

*Yvette Vigliani*  
Signature



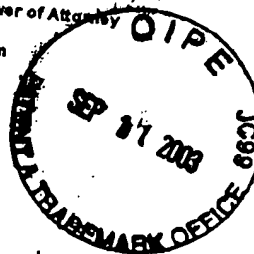
In connection with the below identified patent application, we hereby acknowledge receipt of:

FAX RECEIVED

OCT 14 2005

OFFICE OF PETITIONS

Revocation and Power of Attorney and Appointment of New Power of Attorney  
Statement Under 37 CFR 3.73(b)  
Power of Attorney and Correspondence Address Indication Form  
Status Inquiry  
Exhibit "A" and Exhibit "B"  
Certificate of Mailing



DN. 2543-28-93 Ser. No. 09/098758 Filed 6/17/1998  
Certificate of Mailing: ☒ Yes ☐ No  
Date Mailed 9/69/2003 Initials mmB/yv

ET 975076926 US

Continued Prosecution Application (CPA)

Express Mail Mailing Label No. ET975076926US

Date of Mailing: February 5, 2002

In the United States Patent and Trademark Office

Docket No. 2543-28-93

Anticipated Classification of this application:

Class: 556

Subclass: 13

Prior Application: 09/098,758

Examiner: Peter Mulcahy

Art Unit: 1713

Assistant Commissioner for Patents

Box CPA

Washington, D.C. 20231

**Exhibit A**

1. This is a request for a filing under the continued prosecution application procedure, 37 CFR 1.53(d), for a  
☒ continuation  
divisional

(Further particulars of prior application are:)

1. Title: (as originally filed) Synergistic Blend of a Metal-based Stabilizer or Lewis Acid and a Free Mercaptan for Enhanced PVC Stabilization
2. Name of applicant(s) (as originally filed and as last amended) and current correspondence address of applicant(s):

1. FULL NAME OF INVENTOR:	Duvall	Ted	C.
RESIDENCE & CITIZENSHIP:	West Chester	Ohio	COUNTRY OF CITIZENSHIP United States of America
POST OFFICE ADDRESS:	POST OFFICE ADDRESS 7692 Whitehall Circle	CITY West Chester	STATE & ZIP CODE/COUNTRY OH 45069
2. FULL NAME OF INVENTOR:	Norris	Gene	K.
RESIDENCE & CITIZENSHIP:	Cincinnati	Ohio	COUNTRY OF CITIZENSHIP United States of America
POST OFFICE ADDRESS:	POST OFFICE ADDRESS 11930 Sixth Avenue	CITY Cincinnati	STATE & ZIP CODE/COUNTRY OH 45249

The above-identified application in which no payment of issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

Please abandon the prior application at a time when the prior application is pending or when a request for extension of time in that application is granted and when this application is granted, filing date so as to make this application copending with said prior application.

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.53(d) application, be it either this application in the same file wrapper, the PTO may provide similar information or access to all the other applications in the same file wrapper.

## II. Inventorship Statement

- a) ☐ This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are:
- ☐ the same
- ☐ less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted:
- b) ☐ The inventorship for all the claims in this application are:
- ☐ the same.
- ☐ not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.

## III. Declaration or Oath

- a) Continuation or Divisional
- ☐ none required

## IV. Fee Calculation - Amendments

- ☐ The fees to be charged are to be based on the number of claims remaining as a result of the:
- ☐ attached preliminary amendment
- ☐ unentered amendment filed under 37 CFR 1.116 in the prior application, which is now repeated
- ☐ claims as on file in the prior application

Claims for Fee Calculation						
	Number filed		Number extra		Rate	Basic Fee
						\$740.00
Total Claims	6	- 20 =	0	X	\$ 18.00	\$ _____
Independent Claims	1	- 3 =	0	X	\$ 84.00	\$ _____
Multiple Dependent Claims				+	\$260.00	

Filing fee calculation: \$ 740.00

## V.

### Fee Payment Being Made at This Time

Not attached

- ☐ No filing fee is submitted. (This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently.)

Attached

☒ filing fee

\$ 740.00

☐ processing and retention fee

(\$130.00; 37 CFR 1.53(d) and 1.21(l))

\$ 0.00

Total fees enclosed.

\$ 740.00

**VI. Method of Payment of Fees**

- ☒ Charge Account No. 18-1850 in the amount of \$ 740.00. A duplicate of this transmittal is attached.

**VII. Authorization to Charge Additional Fees**

- ☒ The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the entire pendency of this application to Account No. 18-1850.
- ☒ 37 CFR 1.16 (filing fees)
- ☒ 37 CFR 1.16 (presentation of extra claims)
- ☒ 37 CFR 1.17 (application processing fees)
- ☐ 37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b)).

**VIII. Instructions as to Overpayment**

- ☒ Credit Account No. 18-1850
- ☐ Refund

**IX. Priority - 35 U.S.C. 119**

Priority of application Serial No. filed on in is claimed under 35 U.S.C. 119.

- ☐ The certified copy has been filed in prior U.S. application Serial No. \_\_\_\_\_ filed \_\_\_\_\_ Certified copy will follow.

**X. Relate Back - 35 U.S.C. 120**

- ☒ Amend the specification by inserting before the first line the sentence:

This is a

- ☒ continuation  
divisional

of co-pending application Serial No. 09/098,758 filed on June 17, 1998, which is a CIP of 09/048,492 filed March 26, 1998, which was a CIP of 08/890,613 filed July 9, 1997, which was a CIP of 08/597,093 filed February 23, 1996, which was a CIP of 08/435,413 filed May 10, 1995.

**XI. Assignment**

- ☒ The prior application is assigned of record to Morton International, Inc.
- ☐ An assignment of the invention to is attached.

**XII. Power of Attorney**

☒ The power of attorney in the prior application is to: Robert M. Didrick  
Attorney Reg. No.: 25,135

- ☒ The power appears in the original papers in the prior application.
- ☐ The power does not appear in the original papers, but was filed on \_\_\_\_\_.
- ☐ A new power has been executed and is attached.
- ☐ Address all future communications to:

**XIII. Maintenance of Copendency of Prior Application**

☐ A petition, fee and response have been filed to extend the term in the pending prior application until

**XIV. Conditional Petitions for Extension of Time in Parent Application**

☐ A conditional petition for extension of time is being filed in the pending parent application.

Date: February 5, 2002

Attorney's Tel. No.: (630) 941-1840

*S/RMD 2/5/02*  
Robert M. Didrick  
Attorney for applicants  
Reg. No.: 25,135

Name of Assignee: Morton International, Inc. (a Rohm and Haas company)

Address of Assignee: 100 Independence Mall West

Philadelphia, PA 19106-2399

Assignment recorded in PTO on Reel: 9258

Frame: 0590



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/098,758	06/17/1998	1713	790	2543-28-93		11	2

CONFIRMATION NO. 4469

## CORRECTED FILING RECEIPT



\*OC000000007524246\*

MORTON INTERNATIONAL, INC.  
100 INDEPENDENCE MALL WEST  
PHILADELPHIA, PA 19106-2399

(MID)

Date Mailed: 02/25/2002

Receipt is acknowledged of a CPA in this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

TOD C. DUVALL, WEST CHESTER, OH;

OCT 14 2005

OFFICE OF PETITIONS

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/048,492 03/26/1998 ABN  
WHICH IS A CIP OF 08/890,613 07/09/1997 ABN  
WHICH IS A CIP OF 08/597,093 02/23/1996 ABN  
WHICH IS A CIP OF 08/435,413 05/10/1995 ABN

## Foreign Applications

If Required, Foreign Filing License Granted 07/08/1998

CPA filed on: 02/05/2002

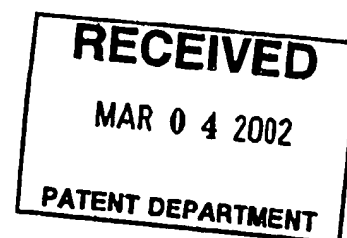
Projected Publication Date: 06/06/2002

Non-Publication Request: No

Early Publication Request: No

## Title

SYNERGISTIC BLEND OF A METAL-BASED STABILIZER OR LEWIS ACID AND A FREE  
MERCAPTAN FOR ENHANCED PVC STABILIZATION



Preliminary Class

524

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20531  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/098,758	06/17/1998	TOD C. DUVALL	2543-28-93	4469

26694 7590 03/29/2002

VENABLE, BAETJER, HOWARD AND CIVILETTI, LLP  
P.O. BOX 34385  
WASHINGTON, DC 20043-9998

EXAMINER

MULCAHY, PETER D

ART UNIT PAPER NUMBER

1713

DATE MAILED: 03/29/2002

23

Please find below and/or attached an Office communication concerning this application or proceeding.

FAX RECEIVED

OCT 14 2005

OFFICE OF PETITIONS

Exhibit C



**Office Action Summary**

Application No.

09/098,758

Applicant(s)

DUVALL, TOD C.

Examiner

Peter D. Mulcahy

Art Unit

1713

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 and 6-11 is/are pending in the application.
- 4a) Of the above claim(s) 10 and 11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**240.00****Complete if Known**

Application Number	09/098,758
Filing Date	June 17, 1998
First Named Inventor	Tod C. Duvall, et al.
Examiner Name	Peter D. Mulcahy
Art Unit	1713
Attorney Docket No.	2543-28-93

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

18-1850

Rohm and Haas Company

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>(\$)</b> 0

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>			<b>(\$)</b> 0

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or other	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	130
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) **37 CFR 1.20(d) Terminal Disclaimers** 110

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$)**240.00****SUBMITTED BY**

Name (Print/Type)	Marcella M. Bodner
Signature	Marcella M. Bodner

Registration No. (Attorney/Agent)	46,561
-----------------------------------	--------

(Complete if applicable)

Telephone	(215) 592-3025
Date	3-25-2004

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

# **FACSIMILE COVER SHEET**

TO: Randy Greene  
Petitions Dept / USPTO  
(571) 273-0025

Date: October 14, 2005

FAX RECEIVED

OCT 14 2005

From: Marcella M. Bodner  
Rohm and Haas Company  
(215) 592-3025

OFFICE OF PETITIONS

**Please Deliver Directly to**  
**Randy Greene**  
**per Mr. Green's express request**

Patent Appln. US Serial No. 09/098,758

Copy of Petition Under 37 CFR § 1.181 to Withdraw Abandonment:

Originally Submitted March 2004 (fax receipt proof included)

Resubmitted September 2004

Now Resubmitted again – October 2005

Thank you!

(28 Pages, incl. this Cover Sheet)